

FOLEY & LARDNER  
ATTORNEYS AT LAW  
402 W. BROADWAY, 23<sup>RD</sup> FLOOR  
SAN DIEGO, CALIFORNIA 92101-3542  
TELEPHONE: (619) 234-6655  
FACSIMILE: (619) 234-3510

## FACSIMILE TRANSMISSION

Total # of Pages - 43 - (including this page)

TO:	PHONE:	FAX #:
Examiner S. Kaushal United States Patent and Trademark Office	703-305-6838	703-308-8724

From: Stephen E. Reiter *SR*  
Sender's Direct Dial: 619-685-6445  
Date: July 31, 2001  
Client/Matter No: 088802-8752  
User ID No: 1877

### MESSAGE:

Re: United States Patent Application No. 09/042,488  
Entitled: METHOD FOR MODULATING EXPRESSION OF EXOGENOUS GENES  
IN MAMMALIAN SYSTEMS, AND PRODUCTS RELATED THERETO  
Filed: 3/16/1998  
Attorney Docket No.: SALK1520-2 (088802-8752)

If there are any problems with this transmission or if you have not  
received all of the pages, please call 619-685-6464.

Operator:	Time Sent:	Return Original To:
		Karin E. Harden

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

#23

Atty. Dkt. No. 088802-8752

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans, et al.

Title: METHOD FOR MODULATING  
EXPRESSION OF EXOGENOUS  
GENES IN MAMMALIANN  
SYSTEMS, AND PRODUCTS  
RELATED THERETO

Appl. No.: 09/042,488

Filing Date: 03/16/1998

Examiner: S. Kaushal

Art Unit: 1633

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.	
Karin E. Harden	(Printed Name)
Karin E. Harden	(Signature)
August 1, 2001	(Date of Deposit)

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is Amendment A in the above-identified application.

- ☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	55	46	9	\$18.00	\$162.00
Independents:	16	7	9	\$80.00	\$720.00
First presentation of any Multiple Dependent Claims:			+	\$270.00	\$0.00
CLAIMS FEE TOTAL:					\$882.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Atty. Dkt. No. 088802-8752

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$390.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$890.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,390.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,890.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$882.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):		\$441.00
	TOTAL FEE:		\$441.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$441.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$441.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

7/31/01

By



FOLEY & LARDNER  
402 West Broadway  
23rd Floor  
San Diego, California 92101-3542  
Telephone: (619) 685-6445  
Facsimile: (619) 234-3510

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192